

### **REMARKS**

Reconsideration of the present application, as amended herein, is respectfully requested.

#### **I. Status of the Claims**

Claims 25-28 and 32-40 are pending, claims 1-24 and 29-31 having been previously canceled.

Claims 25-28, 34-36, 39 and 40 were rejected under 35 USC 102(b) as being anticipated by Smith (US 4,159,677).

Claims 25-28 and 32-40 were rejected under 35 USC 102(c) as being anticipated by Amend et al. (US2003/0183053).

Claims 32, 33, 37, and 38 were rejected under 35 USC 103(a) as being obvious over Smith (US 4,159,677) as applied to claims 25-28, 34-36, 39 and 40 above , in view of Weiher et al. (US2005/0035492).

#### **II. Claim Rejections Under 35 USC 102 and 103**

Claims 25-28, 34-36, 39 and 40 were rejected under 35 USC 102(b) as being anticipated by Smith (US 4159677). The Examiner's rejection is respectfully traversed.

In the Office Action, the Examiner contends that the Smith patent discloses all the features of the claimed invention. The Examiner's rejection is respectfully traversed. The claimed invention as set forth in claim 25 recites a method for impressing a material at a plurality of discrete locations in the manufacture of an article including the material including the step of "providing a die having a plurality of adjacently arranged fields,

each of said fields having at least two distinct projections, each field arranged to engage the material substantially simultaneously, each of said projections having a contact area that is spaced from a contact area of an adjacent projection.” This means that the die has a plurality of fields, each field having at least two distinct projections that engage the material. In order for the projections to engage the material, the projections must be on the surface of the die that faces and contacts the material.

Smith purports to disclose an embosser that includes a composite embossing roll having a multitude of embossing segments adhered to the embossing roll, which would then contact a rubber pressing roll. The composite embossing roll includes a steel roll member 60 having a grooved cylindrical surface. Circular embossing segments and star-like segments are adhered to the surface of the steel roll. The segments all are arcuate and have cupped indentations 72 and coordinately arranged lands 74 to bear against the cylindrical surface of the steel roll. Raised embossing designs 76 project radially outwardly from the outer cylindrical faces of the segments. Turning to Figures 3-7, it is clear that raised embossing designs 76 will contact the material and not cupped indentations 72 and coordinately arranged lands 74. Further, the figures indicate that raised embossing designs 76 do not have two distinct projections as required by claim 25. In view of the above, reconsideration of the rejections is requested.

Claims 25-28 and 32-40 were rejected under 35 USC 102(e) as being anticipated by Amend et al. (US2003/0183053). The Examiner’s rejection is respectfully traversed.

In the Office Action, the Examiner contends that the Amend publication discloses all the features of the claimed invention. The Examiner’s rejection is respectfully traversed. The claimed invention as set forth in claim 25 recites a method for impressing

a material at a plurality of discrete locations in the manufacture of an article including the material including the step of “providing a die having a plurality of adjacently arranged fields, each of said fields having at least two distinct projections, each field arranged to engage the material substantially simultaneously, each of said projections having a contact area that is spaced from a contact area of an adjacent projection.” This means that the die has a plurality of fields, each field having at least two distinct projections that engage the material. In order for the projections to engage the material, the projections must be on the surface of the die that faces and contacts the material.

The Amend publication appears to disclose a rotary knife assembly including a bearing ring 20 wherein the bearing ring includes notches 32 at selected locations along the bearing ring 20. Additionally, as referenced in the Office Action by the Examiner, Amend discloses creating cross-hatched projections/zones to control the contact area. (OA, page 4.) These cross-hatched projections are shown in Figure 5 as being part of bearing ring 20. Applicant respectfully points out that the bearing ring 20 of Amend is part of the rotary knife assembly but does not contact the material as required by claim 25. Figure 7 of Amend clearly shows the path of materials 72 and 74 and at no time does the material engage the bearing rings. In view of the foregoing, it is respectfully submitted that Amend fails to anticipate the claimed invention at least for the reasons set forth above.

Claims 32, 33, 37, and 38 were rejected under 35 USC 103(a) as being unpatentable over Smith (US 4,159,677) as applied to claims 25-28, 34-36, 39 and 40 above in view of Weiher (US 2005/0035492). The Examiner’s rejection is respectfully traversed.

As previously discussed, Smith does not disclose the method set forth above. Smith also does not teach embossing a sealing pattern to form a peripheral seal around a sanitary napkin having a plurality of layers as acknowledged by the Examiner. To fill this gap, the Examiner has turned to Weiher and determined that it would have been prima facie obvious to one having ordinary skill in the art at the time of the claimed invention to have combined the teaching of Smith and Weiher and to have employed Smith's embossing roller to produce various sealed articles including articles having a plurality of layers or a sanitary napkin, as suggested by Weiher for the purpose of employing Smith's embossing roller in an art recognized suitable application. Applicant respectfully points out that as Smith does not disclose the method, combining the disclosure of Weiher would not overcome this basic deficiency. For this reason, reconsideration of the rejection is requested.

It is respectfully submitted that the application is now in condition for allowance. A petition for a one-month extension of time extending the time for response from April 18, 2008 until May 18, 2008 is enclosed herewith. May 18, 2008 is a Saturday, therefore the due day is May 19, 2008. It is respectfully that this response is timely. The Commissioner is hereby authorized to charge any requisite fees to 10-0750/CAN-5004-USNP/PJH.

According to currently recommended Patent Office policy, the Examiner is authorized to contact the undersigned in the event that a telephonic interview would advance the prosecution of this application.

An early and favorable action on the merits is earnest solicited.

Respectfully submitted,

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